

### **REMARKS**

Claims 1-12 are now pending in the application. Claims 5-12 are withdrawn from consideration. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the remarks contained herein.

### **STATEMENT OF THE SUBSTANCE OF THE INTERVIEW**

Applicants thank Examiner Geoffrey Mruk for the telephonic Interview occurring June 24, 2008. During that interview, the examiner indicated that arguments set forth below overcame the current rejections.

### **REJECTION UNDER 35 U.S.C. § 103**

Claims 1-4 stand rejected under 35 U.S.C. § 103(a) as being anticipated by Takeuchi et al. (US 5,475,279) in view of Tatsuki et al. (US 4,849,384). This rejection is respectfully traversed.

Takeuchi relates generally to a piezoelectric actuator. With reference to Figure 1, the actuator is comprised of a first electrode 75, a second electrode 77 and a piezoelectric layer 79. The Examiner relies upon col. 6, lines 21-54 to assert that the piezoelectric layer is made of an aggregate of crystals, where zirconium oxide exists at a grain boundary between the crystals. Takeuchi does not teach that the piezoelectric layer is made of an aggregate of crystals, where zirconium oxide exists at a grain boundary between the crystals. The sections of Takeuchi relied upon by the Examiner describe the composition for the closure plate 66, not the piezoelectric layer 79; whereas, the sections describing the piezoelectric layer 79 (col. 7, lines 18-42) do not

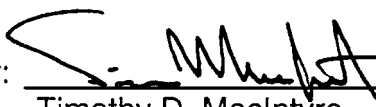
teach the composition recited in the pending claims. In addition, neither of the relied upon reference disclose zirconium oxide that exists at a grain boundary between the crystals. Thus, the pending claims define patentable subject matter over this combination of references. Accordingly, applicants respectfully request the Examiner to reconsider and withdraw this rejection.

### **CONCLUSION**

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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By:   
Timothy D. MacIntyre  
Reg. No. 42,824

HARNESS, DICKEY & PIERCE, P.L.C.  
P.O. Box 828  
Bloomfield Hills, Michigan 48303  
(248) 641-1600

TDM/sjr